



# SECURITY COUNCIL REPORT

## SPECIAL RESEARCH REPORT



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## RESOLUTION 1701

The adoption of resolution 1701 on 11 August 2006 was a critical step in ending the fighting between Hezbollah and Israel after 33 days of intense combat, which left over a thousand people dead (1,187 people in Lebanon and 160 in Israel) and displaced approximately one million Lebanese and 300,000 Israelis.<sup>1</sup> But the Security Council, in this resolution, did much more than just achieve a ceasefire. The establishment of a robust UN peacekeeping force, the focus on principles and elements for a “permanent ceasefire and a long-term solution” and wide authority for the Secretary-General to take the lead in peacemaking efforts are all major innovations in the Council’s approach to the region. The Security Council is engaged much more proactively than ever before in the Middle East, and its ongoing involvement is seen as a message for a permanent peace. Resolution 1701 is therefore a very important window of opportunity for the region and for the UN. A key question, however, is whether this will be sustained.

1. Resolution 1701 is the first resolution establishing a peacekeeping operation in the region that was adopted unanimously. None of the five principal peace operations in the Middle East in the past received unanimous support.

- The Soviet Union, Columbia and the Ukrainian Soviet Socialist Republic abstained on resolution 48 (23 April 1948) which established the Truce Commission for Palestine. Resolution 50 (29 May 1948) which created the UN Truce Supervision Organization was voted on in parts.

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<sup>1</sup> Figure presented by the United Nations Office for the Coordination of Humanitarian Affairs.

- In October 1956, both France and the UK vetoed draft resolutions calling for a ceasefire. The Council, unable to reach agreement on a text, called for an emergency session of the General Assembly under the Uniting for Peace procedure, and in the end it was the General Assembly that created the UN Emergency Force (UNEF). The UK and France were among the five countries that voted against it.
- China did not participate in the vote on resolution 340 (25 October 1973) establishing UNEF II.
- In the case of resolution 350 (31 May 1974) establishing the UN Disengagement Observer Force, neither China nor Iraq, at that time an elected member, participated in the vote.
- Finally, China did not participate in the vote on resolution 425 (19 March 1978) that created the UN Interim Force in Lebanon (UNIFIL) and both the Soviet Union and Czechoslovakia abstained.

2. Resolution 1701 is particularly significant in that it seems potentially important for both parties. Both Israel and the Lebanese government badly needed the resolution and have strong incentives for it to succeed. The Lebanese government directly requested the UN to take on the peacekeeping role and to undertake urgent humanitarian and relief work and guarantee stability and security in the south (as evidenced by the seven-point plan presented by Prime Minister Fuad Siniora at the Rome Conference on 26 July 2006). Hezbollah also indicated its support for a UN role. The Lebanese cabinet—which includes Hezbollah ministers—endorsed on 27 July the Prime Minister’s seven-point plan that proclaimed that there should be no weapons or authority in Lebanon other than the Lebanese state. The Cabinet has approved resolution 1701. For its part, Israel recognised the benefit of a UN intervention, as it would help establish a zone free of weapons in the south (a goal it searched to achieve during the conflict) and began the withdrawal of its troops soon after the resolution was adopted. Because of domestic criticism of the handling of the war and its outcome, the Israeli government also has a strong interest in 1701 succeeding.

3. Syria and Iran have also expressed support of resolution 1701 and the Security Council action was supported by the Arab League. Its Secretary-General, Amr Moussa, said that Arab nations would help to implement the resolution based on consultation.

4. The Security Council’s decision gave wide responsibilities to the UN Secretary-General to negotiate a long-term solution between the governments of Israel and Lebanon and to come up with proposals for such a solution. This also is an extraordinary innovation in Middle East affairs, and a huge vote of confidence in the Secretary-General. The Council provided guidance by defining elements of a long-term solution to the conflict, but the Secretary-General was mandated to consult with the parties and present “proposals” for the implementation of the relevant provisions of the Taif Accords (also referred to as the National Reconciliation Charter signed in 1989 in Taif, Saudi Arabia which ended the Lebanese civil war) and of resolutions 1559 (2004) and 1680 (2006) on disarmament of Lebanese and non-Lebanese militias and on the delineation of Lebanon’s international borders, especially in the Sheb’a Farms area. The Council also requested the Secretary-General to report on the implementation of the resolution on a regular basis. There are two references in 1701 to further reporting by the Secretary-General. In fact, this is likely to provide the Secretary-General with significant flexibility. An important question is how long he will be able to engage with the parties effectively given the expiration of his term of office at the end of the year. A long-term solution seems likely to require efforts over many months. So far, however, he has succeeded in having the Israeli blockade lifted and recently appointed a facilitator specifically tasked to address the issue of the release of the Israeli and Lebanese prisoners, an additional expression of confidence in the UN by the parties and, incidentally, one not covered in resolution 1701. The report the Secretary-General presented on 12 September (S/2006/730) does not yet contain proposals. Concrete proposals may be forthcoming in his next report (which is likely to be presented in November. However, it is important to note that a report under resolution 1559 is due in October).

5. Resolution 1701 also creates a precedent because it directly addresses the issue of the Sheb’a Farms. Neither resolution 1559 nor resolution 1680 directly referred to the Farms. This issue is complex and the Secretary-General says he is “studying carefully the complicated cartographic, legal and political implications of such an approach and will revert to the Council in due course.”

6. Another major innovation is the authorised troop level of 15,000 for UNIFIL. In the past, the maximum number of troops ever reached by a peacekeeping mission in the Middle East was 6,973 by UNEF II in February 1974. Because the Lebanese government is currently deploying 15,000 soldiers from the Lebanese army, the concentration of troops in southern Lebanon (a very small area) will be exceptional.

7. In addition, although the resolution does not explicitly mention Chapter VII, 1701 was clearly adopted by the Council using Chapter VII powers. UNIFIL II was given an enforcement mandate with strong rules of engagement. The concept of operations is also very innovative as are the arguments for command and control. A new development includes the “strategic cell” which is being established within the Department of Peacekeeping Operations with the aim of providing strategic guidance to UNIFIL operations. The cell will be staffed by officers from key troop contributing countries (about twenty of them) and will be led by an Italian general. It will remain, however, under the supervision of the Under Secretary-General for Peacekeeping Operations. The creation of this cell reflects the desire of the main troop contributors to reinforce the chain of command over the conduct of operations.

8. The robustness of the resolution is also reinforced by the arms embargo provisions designed to prevent the shipment of arms to militia groups in Lebanon.

9. Last but not least, the Council in resolution 1701 “stresses the importance of, and the need to achieve, a comprehensive, just and lasting peace in the Middle East [...]” It remains to be seen how active the Council will be in this regard. The Secretary-General continues to emphasise the need to address all of the underlying causes of conflict in the region. However, within the Security Council some members consider that each aspect of the conflict in the Middle East should be addressed separately. Others stress that the crisis in the occupied Palestinian territories is interlinked.

In summary, resolution 1701 can be seen as a ground breaking precedent. It is widely seen as a window of opportunity for greater Security Council involvement in the Middle East. Elected members, some of whom were very engaged during negotiations on resolution 1701, may want to undertake a more proactive role. Other Council members seem more hesitant to

engage the Council in this difficult task too quickly, placing emphasis in the short-term on maximising the role of the Secretary-General in securing the implementation of resolution 1701. Others are concerned that there is a risk that the Council could let the momentum drift away.

Another question concerning not only the parties on the ground but also some Council members is whether UNIFIL II will be able to achieve more than UNIFIL I. Because of the absence of an enforcement mandate, and a lack of capabilities, UNIFIL I was criticised for its inability to ensure peace in southern Lebanon. In fact, UNIFIL troops were twice overrun by the Israeli army (in 1982 and during this year’s conflict) and have suffered numerous losses due to incidents with non-state armed groups over its 28 years of existence. The UNIFIL concept of operations did not include restraining Hezbollah’s militarisation in the south, and it was unable to help the Lebanese army deploy in the south or to prevent cross-border incidents between Hezbollah and the Israeli Defence Forces. There were also regular reports that Hezbollah was limiting the work of UNIFIL through denial of access. The existence of a stronger mandate for UNIFIL II, the consent of the parties and the presence of a resolution integrating elements of a durable ceasefire is a positive indicator and perhaps a recipe for success. Hence, the interpretation of what 1701 means and what it is expected to achieve is a controversial issue.

The following chart is designed to provide some guidance on what the various obligations and timeframes are for all actors.

## Resolution 1701: Obligation of the Parties

| Party   | Resolution 1701 Operational Paragraph  | Obligation  | Comments  | Progress as of 22 September 2006   |
|---------|--|---|---|--|
| Lebanon | <b>OP2:</b> Upon full cessation of hostilities, <i>calls upon</i> the Government of Lebanon and UNIFIL as authorized by paragraph 11 to deploy their forces together throughout the South  | Deploy Lebanese government armed force of 15,000 troops, together with UNIFIL, throughout the south of Lebanon.   | <ul style="list-style-type: none"> <li>• became effective on 17 August</li> <li>• linked to deployment of UNIFIL</li> <li>• use of the word “together” implies close coordination</li> </ul>  | The army has deployed to about 80 percent of south Lebanon.  |
|         | <b>OP3:</b> <i>Emphasizes</i> the importance of the extension of the control of the Government of Lebanon over all Lebanese territory in accordance with the provisions of resolution 1559 (2004) and resolution 1680 (2006), and of the relevant provisions of the Taif Accords, for it to exercise its full sovereignty, so that there will be no weapons without the consent of the Government of Lebanon and no authority other than that of the Government of Lebanon | <ul style="list-style-type: none"> <li>• extend control over all Lebanese territory</li> <li>• ensure throughout Lebanon that there are no weapons without its consent</li> <li>• ensure throughout Lebanon that there is no authority other than the Government of Lebanon</li> </ul>  | <p>The Taif Accords, adopted 22 October 1989, were for a 12 month plan of gradual implementation (spreading the sovereignty of the state over the Lebanese territory with the state’s own forces) and a six month requirement for disarming militias. Those deadlines have long since been overtaken.</p> <p>Resolution 1559 (and more particularly 1680) seemed to recognise that disarmament would be a process requiring progressive effort through the Lebanese national dialogue.</p> <p>The use in <b>OP3</b> of 1701 of the words “emphasises the importance of” also seems to imply that the obligation is one which the Council expects to be achieved in the future (i.e., not one which expects immediate compliance).</p> <p>It is important to note that under <b>OP3</b>, it is open for Lebanon to consent to the presence of weapons by other parties.</p> <p>But, by contrast, there is no basis for Lebanon to consent to the exercise of “authority” by other parties.</p>   | <p>Lebanon indicates that it intends to meet these obligations in good faith through a political process (the National Dialogue).</p> <p>In the south, full control has not yet been established.</p> <p>Hezbollah is reported to still exercise some authority and to possess weapons.</p> <p>There is still an Israeli armed presence.</p> <p>But the government of Lebanon has made some progress. The Secretary-General stated that “the Lebanese authorities have [...] undertaken a variety of steps to enforce their monopoly on the control and legitimate use of force throughout Lebanon’s territory”. (S/2006/730)</p>  |
|         | <b>OP8:</b> <i>Calls</i> for Israel and Lebanon to support a permanent ceasefire and a long-term solution based on the following principles and elements:  | <p>1) Support (and work in good faith towards) a permanent ceasefire and long-term solution.</p> <p>2) Accept as principles for a negotiated agreement on a long term solution:</p> <ul style="list-style-type: none"> <li>• respect for the Blue Line (which includes responsibility for ensuring that all those on its territory also respect the line)</li> <li>• security arrangements to prevent resumption of hostilities;</li> <li>• the zone between the Blue Line and the Litani river to be free of armed personnel assets and weapons other than those of the Lebanese government and UNIFIL;</li> <li>• full implementation of the provisions of the Taif Accords and resolutions 1559 and 1680 requiring the disarmament of all armed groups in Lebanon;</li> <li>• taking responsibility to prevent the entry of foreign forces without its consent; and</li> <li>• taking responsibility to effectively control sales or supply of weapons.</li> </ul> | <p>The primary obligation is to commit to negotiation with Israel on a permanent ceasefire and a long-term solution. This is reinforced by <b>OP9</b> which speaks of “agreements in principle [...] to the principles and elements for a long term solution as set forth in paragraph 8 [...]”.</p> <p>The secondary commitment is to use the principles in <b>OP8</b> in the negotiations as a basis for a solution.</p> <p>This structure and the use of the word “full” in qualifying the implementation of the Taif Accords, further reinforces the interpretation that the zone free of armed militia is intended to be a phased obligation and is the end point of the negotiated process envisaged.</p> <p>Note that unlike <b>OP3</b> there is no residual right under the “long-term solution” for Lebanon to consent to armed groups retaining weapons—the disarmament principle is absolute.</p> <p>The issue of defining what constitutes “disarmament” is critical. There seems to be distinction drawn in <b>OP8</b> of resolution 1701 between “disarmament”, which applies in the whole country and the more specific requirements in the south. This may be consistent with the view that disarmament generally relates to offensive military style weapons (i.e., the dismantling of the “paramilitary state within a state”). If so, it would imply removal of missiles, rockets, RPGs, anti-tank weapons, mortars, heavy machine guns, etc. from private</p> | <p>The permanent ceasefire and long-term solution process has only reached the preliminary stages.</p> <p>The Lebanese government entered into a dialogue with Hezbollah and Palestinian groups to resolve the issue of disbanding and disarming and to re-establish government control over the whole territory in March. An agreement was reached on 14 March to disarm the Palestinian militias operating outside the refugee camps within six months. However, there has been no further progress on the disarmament of Hezbollah.</p> <p>On the issue of security, a planning and coordination mechanism has been established between UNIFIL and the Lebanese Ministry of Defence, as well as a high-level security coordination mechanism.</p> |

| Party            | Resolution 1701 Operational Paragraph   | Obligation  | Comments  | Progress as of 22 September 2006   |
|------------------|---|---|---|--|
|                  |   |   | hands throughout Lebanon. However, by contrast, it may imply that retention of personal weapons, consistent with normal cultural practice, would be possible in the country generally. On the other hand, in the south, the specific language of <b>OP8</b> seems to set more strict requirements regarding "the area".<br><br>On the issue of the security arrangements, a tripartite military agreement seems like the most likely format at the moment to prevent renewed violence.  |  |
|                  | <b>OP14:</b> <i>Calls upon the Government of Lebanon to secure its borders and other entry points to prevent the entry in Lebanon without its consent of arms or related materiel</i>   | 1) Secure the borders of Lebanon and other entry points.<br>2) Prevent the entry of unauthorised arms or related materiel.  | This seems to be a clear and precise obligation effective immediately.  | Lebanon has asked the UN Secretary-General to authorise the deployment of German naval ships to monitor the Lebanese coast and implement the arms embargo. Lebanon has indicated that it is ready to seal the land border with Syria: some 8,000 troops are already deployed along Lebanon's land border with Syria. Other troops are deployed along the coastline and German personnel are assisting with control of "other entry points" (e.g. Beirut airport).  |
| <b>Hezbollah</b> | <b>OP1:</b> <i>Calls for a full cessation of hostilities based upon, in particular, the immediate cessation by Hizbollah of all attacks</i>   | Cessation by Hezbollah of all attacks.  | This is an immediate obligation.  | The Secretary-General reported that the parties were generally respecting the cessation of hostilities in S/2006/670 (18 August 2006) and S/2006/730 (12 September 2006).  |
|                  | <b>OP7:</b> <i>Affirms that all parties are responsible for ensuring that no action is taken contrary to paragraph 1 that might adversely affect the search for a long-term solution, humanitarian access to civilian populations, including safe passage for humanitarian convoys, or the voluntary and safe return of displaced persons, and calls on all parties to comply with this responsibility and to cooperate with the Security Council</i> | 1) Refrain from action that might adversely affect:<br>• the search for a long-term solution;<br>• humanitarian access to civilians; and<br>• the voluntary and safe return of the displaced persons.<br>2) Cooperate with the Security Council.                    | The release of the Israeli prisoners would help reaching a long-term solution.  |  |
|                  | <b>OP8:</b> <i>Calls for Israel and Lebanon to support a permanent ceasefire and a long-term solution based on the following principles and elements: full implementation of the relevant provisions of the Taif Accords, and of resolutions 1559 (2004) and 1680 (2006), that require the disarmament of all armed groups in Lebanon</i>   | Hizbollah is a party to the Taif Accords. Resolutions 1559, 1680 and 1701 require it to accept a long term solution that is based on disarmament throughout Lebanon and in the south, and that there will be a zone free of any armed personnel, assets or weapons. | As indicated above, there seems to be distinction drawn in the resolution between "disarmament", which applies in the whole country and the more specific requirements in the south. This may be consistent with the view that generally disarmament relates to offensive military style weapons (i.e., the dismantling of the "paramilitary state within a state"). If so, it would imply Hezbollah renouncing missiles, rockets, RPGs anti tank weapons, mortars, heavy machine guns etc throughout Lebanon. However, it may imply that retention of personal weapons, consistent with normal cultural practice, would be possible in the country generally, but not in the south—where the specific language of OP8 would seem to preclude that in "the area". | By accepting the Prime Minister's seven-point plan, Hezbollah agreed with provision 4 stipulating "The Lebanese government extends its authority over its territory through its own legitimate armed forces, such that there will be no weapons or authority other than that of the Lebanese state as stipulated in the Taif national reconciliation document." But it could be argued that the effect of <b>OP8</b> is that the obligation is linked to the other principles and elements and, for instance also requires resolution of the Sheb'a Farms issue. |
| <b>Israel</b>    | <b>OP1:</b> <i>Calls for a full cessation of hostilities based upon, in particular, [...] the immediate cessation by Israel of all offensive military operations</i>  | Immediate cessation of all offensive military operations.   |   | The Secretary-General reported that the parties were generally respecting the cessation of hostilities.  |
|                  | <b>OP2:</b> <i>Upon full cessation of hostilities, [...]calls upon the Government of Israel, as that deployment begins [of UNIFIL and Lebanese forces], to</i>  | Withdrawal of the Israeli army behind the Blue Line.  | The obligation came into effect on 17 August.<br><br>The timing for completion is linked to the Lebanese army/  | The withdrawal started almost immediately. Full disengagement was planned to occur after UNIFIL II reached an on-the-ground troop level of 5,000 and when  |

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|            | withdraw all of its forces from southern Lebanon in parallel  |   | UNIFIL deployment.<br><br>Withdrawal is to be in parallel, (this is reinforced in <b>OP11(b)</b> ) implying that withdrawal will be completed no later than when the international forces are fully deployed.   | the Lebanese army is ready to deploy at the full strength of 15,000 troops. As of 22 September, there were over 5,000 UNIFIL troops deployed, but the IDF remained on a narrow corridor north of the Blue Line. Complete withdrawal was expected later in the week. Israel lifted the air and sea embargo on 7 and 8 September, respectively.   |
|            | <b>OP7:</b> Affirms that all parties are responsible for ensuring that no action is taken contrary to paragraph 1 that might adversely affect the search for a long-term solution, humanitarian access to civilian populations, including safe passage for humanitarian convoys, or the voluntary and safe return of displaced persons, and calls on all parties to comply with this responsibility and to cooperate with the Security Council  | 1) Refrain from action that might adversely affect:<br>• the search for a long-term solution;<br>• humanitarian access to civilians; and<br>• the voluntary and safe return of the displaced persons.<br>2) Cooperate with the Security Council.  |   | Lebanon has transmitted numerous letters to the UN accusing Israel of continuing violations. UNIFIL confirmed that there were daily Israeli air incursions. The Secretary-General also noted that in his latest report (S/2006/730)   |
|            | <b>OP8:</b> Calls for Israel and Lebanon to support a permanent ceasefire and a long-term solution based on the following principles and elements:<br>• full respect for the Blue Line by both parties;<br>• security arrangements to prevent the resumption of hostilities, including the establishment between the Blue Line and the Litani river of an area free of any armed personnel, assets and weapons other than those of the Government of Lebanon and of UNIFIL as authorized in paragraph 11, deployed in this area; [...]<br>• no foreign forces in Lebanon without the consent of its Government; [...]<br>• provision to the United Nations of all remaining maps of landmines in Lebanon in Israel's possession   | 1) Support a permanent ceasefire and long term solution<br>2) Accept as principles for negotiation<br>• respect for the Blue Line;<br>• security arrangements to prevent resumption of hostilities;<br>• an area between the Blue Line and the Litani river as a zone free of armed personnel assets and weapons other than those of the Lebanese government and UNIFIL;<br>• full implementation of the Taif Accords and resolutions 1559 and 1680 provisions requiring the disarmament of all armed groups in Lebanon;<br>• all Israeli forces to withdraw from Lebanon; and<br>• surrendering of all remaining landmine maps in south Lebanon to the UN. |   | There have been numerous minor incidents by the IDF mainly related to the fortifying of IDF positions and daily Israeli air incursions. But the Secretary-General determined in his latest report that they were not offensive, except for a severe violation of the cessation of hostilities on 19 August when Israel carried out a raid. (S/2006/730)<br><br>On the issue of security arrangements, the IDF suggested that UNIFIL set up a tripartite body following the model of the current "tripartite coordination mechanism".<br><br>The IDF has been handing over some maps of landmines and unexploded ordnance, but has not as yet reached full compliance. |
| All States | <b>OP15:</b> Decides further that all States shall take the necessary measures to prevent, by their nationals or from their territories or using their flag vessels or aircraft: (a) The sale or supply to any entity or individual in Lebanon of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, whether or not originating in their territories; and (b) The provision to any entity or individual in Lebanon of any technical training or assistance related to the provision, manufacture, maintenance or use of the items listed in subparagraph (a) above; except that these prohibitions shall not apply to arms, related materiel, training or assistance authorized by the Government of Lebanon or by UNIFIL as authorized in paragraph 11 | Prevent their nationals, territories ships or aircraft being used for:<br>1. the sale of arms and related material to Lebanon;<br>2. the supply of arms and related material to Lebanon; and<br>3. the provision of military technical training and assistance to Lebanon.<br><br>The prohibition applies to deliveries or services to any entity or individual in Lebanon, except the Government of Lebanon or UNIFIL and the list of prohibited items includes weapons, ammunition, military vehicles and equipment and spare parts.  | <b>OP15</b> has particular impact for Syria and Iran, who are alleged to have supplied or sold arms and related materiel to Hezbollah in the past. <b>OP 15</b> outlaws not only cross border transfers of military materiel to Hezbollah, but also shipments by air or sea as well as sending military trainers and advisers to assist Hezbollah in Lebanon. (There are allegations of Iranian advisers.)<br><br>The term "entity" includes Hezbollah and also Palestinian and Christian militias.<br><br>The term "entity" probably does not include the Israeli forces in southern Lebanon pending withdrawal, since the resolution needs to be read as a whole. It uses different language to describe government forces. | Syria has said it will increase the number of guards on its border with Lebanon setting up possible joint border patrols with Lebanese police and also joint control points, and "take all necessary measures" to curb the flow of arms. (S/2006/730)   |
| UNIFIL     | <b>OP2:</b> Upon full cessation of hostilities, calls upon the Government of Lebanon and UNIFIL as authorized by paragraph 11 to deploy their forces together throughout the South  | Deploying in the south together with Lebanese forces.   |   | As of 22 September UNIFIL troop strength was 5,028 with contributions from Belgium, China, Italy, France, Ghana, India, Ireland, Norway, Poland and Spain. Germany, the Netherlands, Malaysia, Indonesia and Finland are not yet  |

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|-------------------|---|--|--|---|---|
|                   | <p><b>OP11:</b> <i>Decides</i> [...] that the force shall, in addition to carrying out its mandate under resolutions 425 and 426 (1978):</p> <p>(a) Monitor the cessation of hostilities; (b) Accompany and support the Lebanese armed forces as they deploy throughout the South, including along the Blue Line, as Israel withdraws its armed forces from Lebanon as provided in paragraph 2; (c) Coordinate its activities related to paragraph 11 (b) with the Government of Lebanon and the Government of Israel; (d) Extend its assistance to help ensure humanitarian access to civilian populations and the voluntary and safe return of displaced persons; (e) Assist the Lebanese armed forces in taking steps towards the establishment of the area as referred to in paragraph 8; (f) Assist the Government of Lebanon, at its request, to implement paragraph 14;</p> <p><b>OP14:</b> <i>Calls upon</i> the Government of Lebanon to secure its borders and other entry points to prevent the entry in Lebanon without its consent of arms or related materiel and <i>requests</i> UNIFIL as authorized in paragraph 11 to assist the government of Lebanon at its request</p> | <p>Mandate:</p> <ul style="list-style-type: none"> <li>• continue with tasks under resolutions 425 and 426 (1978): (1) confirming the withdrawal of Israel; (2) restoring international peace and security in the area; and (3) assisting the government of Lebanon in ensuring the return of its effective authority in the area;</li> <li>• monitor cessation of hostilities;</li> <li>• accompany and support Lebanese forces as they deploy;</li> <li>• deploy throughout the south including at the Blue Line;</li> <li>• coordinate with the Lebanese and Israeli governments;</li> <li>• assist humanitarian access to civilians</li> <li>• assist the Lebanese army to establish the weapons free area; and</li> <li>• assist the Lebanese government, at its request, to secure its borders and prevent the entry of unauthorised arms and materiel.</li> </ul> |  | <p>The tasks in <b>OP 11(e)</b> were critical for securing consensus on resolution 1701 and the language agreed therefore needs careful analysis.</p> <p>The “area” is the south of Lebanon between the Blue Line and the Litani River, in which there is to be security arrangements to prevent the resumption of hostilities.</p> <p>One of the security arrangements is that that area will be subject not only to the general disarmament obligation for militias, (which incidentally <b>OP11(e)</b> does <b>not</b> establish as a task for UNIFIL) but also to a specific regime in that the area will be free of any armed personnel, assets and weapons other than those of the Government of Lebanon and UNIFIL.</p> <p><b>OP11(e)</b> uses language of progressive implementation (i.e., “taking steps towards the establishment”). It seems therefore that UNIFIL forces are not expected to immediately ensure the establishment of the “area”.</p> <p>More importantly, the UNIFIL role is subsidiary to the process set out in <b>OP8</b>. As discussed above, even for Lebanon <b>OP8</b> only refers to the “area” as one of the principles to be negotiated as part of a permanent ceasefire/long- term solution.</p> | <p>deployed. A second wave of troops is scheduled to arrive in mid-October. (S/2006/730).</p> <p>Italian and French naval vessels are patrolling the coast until a German-led UNIFIL naval contingent can take over in line with a Lebanese request to the UN. German police and customs experts will advise local authorities on airport security and how to implement the arms embargo. But it is not yet clear how the experts would relate to UNIFIL.</p> |
|                   | <p><b>OP12:</b> Acting in support of a request from the Government of Lebanon to deploy an international force to assist it to exercise its authority throughout the territory, <i>authorizes</i> UNIFIL to take all necessary action in areas of deployment of its forces and as it deems within its capabilities, to ensure that its area of operations is not utilized for hostile activities of any kind, to resist attempts by forceful means to prevent it from discharging its duties under the mandate of the Security Council, and to protect United Nations personnel, facilities, installations and equipment, ensure the security and freedom of movement of United Nations personnel, humanitarian workers and, without prejudice to the responsibility of the Government of Lebanon, to protect civilians under imminent threat of physical violence</p>  | <p>UNIFIL is not obligated to use force for the accomplishment of its mandate. But it is authorised to take all necessary force to:</p> <ul style="list-style-type: none"> <li>• ensure that its area of operations is not utilised by others for hostile action;</li> <li>• resist pressure to block the discharge of its mandate;</li> <li>• self defence for UN personnel, (including freedom of movement) bases and equipment ;</li> <li>• protection for humanitarian workers; and</li> <li>• protection of civilians under imminent threat of violence.</li> </ul> <p>However the use of force has limitations:</p> <ul style="list-style-type: none"> <li>• to what is “necessary”;</li> <li>• to the specific area of UNIFIL deployment; and</li> <li>• to the extent of UNIFIL’s capabilities.</li> </ul>   |  | <p>The authorisation to “take all necessary action”, in terms of UN resolutions, is authority to use the full range of military force and to act as robustly as the situation calls for.</p> <p>The fact that there is no explicit mention of Chapter VII is irrelevant since the resolution is clearly adopted pursuant to powers under Chapter VII.</p> <p>UNIFIL would be expected to take action against Hezbollah if it launched any attacks against Israel or against civilians.</p> <p>Possibly UNIFIL would also be expected to respond forcefully if Israel launched an attack in its area of deployment.</p>  |   |
| Secretary-General | <p><b>OP9:</b> <i>Invites</i> the Secretary-General to support efforts to secure as soon as possible agreements in principle from the Government of Lebanon and the Government of Israel to the principles and elements for a long-term solution as set forth in paragraph 8</p>  | <p>The Security Council charged the Secretary-General with responsibility to:</p> <ol style="list-style-type: none"> <li>1. lead the negotiating process between Lebanon and Israel and to first secure agreement on the principles and elements of <b>OP8</b>;</li> <li>2. work with relevant international actors and concerned parties;</li> <li>3. develop proposals to implement the Taif</li> </ol>  |  | <p>In addition to the confidence reposed in the Secretary-General by the Council, the parties themselves seem to have sought his assistance in resolving the major underlying problem of the Israeli prisoners held by Hezbollah and various Lebanese prisoners held by Israel.</p>   | <p>The UN has begun talks on the release of Israeli and Lebanese prisoners through the appointment by the Secretary-General of a facilitator. The talks may also consider the case of the Israeli soldier captured by Hamas.</p>  |

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|--------------------------------|--|---|--|---|
|                                |  | Accords and resolutions 1559 and 1680, including disarmament; and<br>4. develop proposals for delineation of Lebanon's borders, including the Sheb'a Farms area.  |  |   |
|                                | <b>OP10:</b> Requests the Secretary-General to develop, in liaison with relevant international actors and the concerned parties, proposals to implement the relevant provisions of the Taif Accords, and resolutions 1559 (2004) and 1680 (2006), including disarmament, and for (continued): delineation of the international borders of Lebanon, especially in those areas where the border is disputed or uncertain, including by dealing with the Sheb'a Farms area, and to present to the Security Council those proposals within thirty days | Develop proposals, within thirty days, to implement the relevant provisions of: the Taif Accords, resolution 1559 (2004) and 1680 (2006), including disarmament and the delineation of the border in the Sheb'a Farms area.   | The reference to "relevant provisions" of resolutions 1559 and 1680 would seem to cover:<br>• disarmament;<br>• extension of the control of the Lebanese authorities over the whole territory;<br>delineation of the international borders of Lebanon (especially the Sheb'a Farms); and<br>• It is less clear, however, whether and to what extent the reference in 1680 to diplomatic relations between Syria and Lebanon is covered. It may be open to the Secretary-General to address this despite its sensitivity. | The Secretary-General presented some proposals in S/2006/730 on 12 September.   |
|                                | <b>OP13:</b> Requests the Secretary-General urgently to put in place measures to ensure UNIFIL is able to carry out the functions envisaged in this resolution   | This obliges the UN to work urgently to support UNIFIL.   |  |   |
|                                | <b>OP17:</b> Requests the Secretary-General to report to the Council within one week on the implementation of this resolution and subsequently on a regular basis  | Report on implementation of this resolution within one week and then on a regular basis.  | "On a regular basis" will very much depend on the events and on the reports on implementation of resolution 1559.  | S/2006/670 of 18 August 2006 and S/2006/730 of 12 September are the latest reports. The date of the next report is not yet known.   |
| <b>International Community</b> | <b>OP6:</b> Calls on the international community to take immediate steps to extend its financial and humanitarian assistance to the Lebanese people, including through facilitating the safe return of displaced persons and, under the authority of the Government of Lebanon, reopening airports and harbours, consistent with paragraphs 14 and 15, and calls on it also to consider further assistance in the future to contribute to the reconstruction and development of Lebanon  | These are not so much obligations as expectations that member states will reinforce UNIFIL to a maximum of 15,000 troops and provide humanitarian and financial assistance to:<br>• facilitate the safe return of displaced people;<br>• reopen airports and harbours; and<br>• undertake reconstruction and development. |  | The backbone of the force is to be European. In addition, Qatar would contribute 200 to 300 soldiers. Italian and French naval vessels are patrolling the coast until a German-led naval contingent can take over, in line with a Lebanese request to the UN. German police and customs experts will advise local authorities on airport security and how to implement the arms embargo. But it was not yet clear how the experts would relate to the UNIFIL structure. |
|                                | <b>OP11:</b> Decides, in order to supplement and enhance the force in numbers, equipment, mandate and scope of operations, to authorize an increase in the force strength of UNIFIL to a maximum of 15,000 troops  |   |  | International donors pledged more than \$940 million on 31 August for Lebanon's immediate relief efforts, nearly double the target amount.  |
|                                | <b>OP13:</b> [...] urges Member States to consider making appropriate contributions to UNIFIL and to respond positively to requests for assistance from the Force, and expresses its strong appreciation to those who have contributed to UNIFIL in the past   |   |  |   |
| <b>Security Council</b>        | <b>OP9:</b> expresses its intention to be actively involved  | The Council commits to remaining actively involved.   |  |   |
|                                | <b>OP16:</b> expresses its intention to consider in a later resolution further enhancements to the mandate and other steps to contribute to the implementation of a permanent ceasefire and a long-term solution   | The Council shows willingness to consider a second resolution if necessary.   |  |   |



## **SECURITY COUNCIL REPORT STAFF**

**Colin Keating**, Executive Director

**Joanna Weschler**, Director of Research

**Curtis A. Ward**, Senior Research Consultant

**Anne-Gaëlle Claude**, Research Analyst

**Fernanda Rafaela Fernandes**, Research Analyst

**Amanda Roberts**, Programme Coordinator

**Shamala Kandiah**, Research Consultant

**Anthony Smith Jr.**, Administrative Assistant

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